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December 10, 2019

Via ECF

Application granted, schedule approved.  
SO ORDERED.

Dated: 12/11/2019

The Hon. P. Kevin Castel, U.S.D.J.  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl St.  
New York, NY 10007-1312

A handwritten signature in black ink, appearing to read "P. Kevin Castel", is written over a horizontal line. Below the line, the text "P. Kevin Castel" and "United States District Judge" are printed in a serif font.

P. Kevin Castel  
United States District Judge

Re: In re Arida, LLC, No. 19 Misc. 522 (PKC)

Dear Judge Castel:

We represent Respondents June NY, LLC a/k/a Residenz, LLC, June Homes US, Inc. a/k/a Residenz, Inc., June NY 1, LLC a/k/a Residenz 1, LLC (collectively, "**June Homes**"), and Daniel Mishin. We write with the consent of Applicants to request that the Court approve an agreed-upon briefing schedule and a limited stay in this matter. This is the first request for a schedule or a stay in this matter, and no conference is pending.

By way of background, on November 13, 2019, Applicants in the above-captioned action filed an *ex parte* application for discovery pursuant to 28 U.S.C. § 1782 (the "**Petition**") from June Homes, various banks believed to have June Homes's financial records, as well other individuals (collectively, "**Respondents**"). On November 14, 2019 the Court granted the *ex parte* application.

To efficiently manage this case, Applicants, June Homes, and Daniel Mishin have agreed as follows:

- [ 1. June Homes and Daniel Mishin accept the service of the subpoenas and waive any defects in the service of the subpoenas.
- 2. June Homes and Daniel Mishin will have until January 24, 2020 to make a motion with respect to the *ex parte* order. Applicants' opposition to the motion shall be due on February 18, 2020, and the reply shall be due on February 28, 2020.
- 3. Until a final ruling is issued on the aforementioned motion, June Homes's and Daniel Mishin's compliance with the subpoenas is stayed and suspended.
- 4. All other Respondents' compliance with the subpoenas concerning any information relating to June Homes and Daniel Mishin is stayed and suspended. Accordingly, (a) Applicants shall promptly inform other Respondents of the stay and provide a copy of the Court's order to other Respondents, (b) Applicants shall



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instruct them to continue to preserve records relating to June Homes and Daniel Mishin, (c) all Respondents shall cease any production of documents or information concerning June Homes or Daniel Mishin pending further order of this Court, and (d) to the extent any subpoena recipient has produced or produces documents or information subject to the stay, such documents or information shall be destroyed or returned to the producing party without reading them, disseminating them, using them, or retaining any copies.

5. All Respondents' depositions are stayed until further order of the Court. ]

This agreement will allow this case to proceed in an orderly fashion, allow June Homes and Mr. Mishin to prepare a fully informed response to the Petition, prevent prejudice to June Homes and Mr. Mishin by staying other Respondents' production of their confidential information while the Court is evaluating June Homes and Mr. Mishin's response to the Petition, as well as accommodate counsels' schedule and upcoming holiday travel plans.

June Homes, Mr. Mishin, and Applicants respectfully request that the Court issue an order effectuating the foregoing agreement. We thank the Court for its consideration of this request.

Respectfully,

*/s/ Charles J. Nerko*

Charles J. Nerko

Copy to: All counsel (via ECF)